IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

LIBERTY INSURANCE CORPORATION,	*	
As subrogee of TIMOTHY ADLER,	*	
,	*	
Plaintiff,	*	
,	*	
V.	*	No. 3:21-cv-196-TAV-DCP
	*	
GREPOW, INC. and	*	
HORIZON HOBBY, LLC,	*	
, ,	*	
Defendants.	*	
	*	
	*	
LIBERTY INSURANCE CORPORATION,	*	
As subrogee of TIMOTHY ADLER,	*	
,	*	
Plaintiff,	*	
,	*	
v.	*	No. 3:21-cv-343-TAV-DCP
	*	
SHENZHEN GREPOW BATTERY CO., LTD	*	
d/b/a GENS ACE, and SHENZHEN GREPOW	*	
BATTERY CO. LTD d/b/a TATTU,	*	
,	*	
Defendants.	*	

<u>DEFENDANT SHENZHEN GREPOW BATTERY CO., LTD.'S</u> <u>MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION</u>

COMES NOW the Defendant, Shenzhen Grepow Battery Co., Ltd., ("Shenzhen Grepow")¹, to submit its Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(2).

As grounds for this Motion and as explained in more detail in Shenzhen Grepow's contemporaneously-filed Memorandum of Law, Shenzhen Grepow would show that it is not a Tennessee corporation, it does not maintain its principal place of business in Tennessee, and it

¹ Plaintiff has named Shenzhen Grepow Battery Co., Ltd. as if there were two defendants. However, there is only one defendant entity, Shenzhen Grepow Battery Co., Ltd.

does not maintain substantial operations in Tennessee. For those reasons, this Court can exercise neither general jurisdiction nor specific personal jurisdiction over Shenzhen Grepow. Accordingly, Plaintiff's Complaint should be dismissed with prejudice.

In addition to the Memorandum of Law and the record in this case, Shenzhen Grepow relies on the following additional materials in support of its Motion to Dismiss:

Exhibit A: Declaration of Zhongqiang Xia

WHEREFORE, Shenzhen Grepow respectfully requests that this Court issue an Order dismissing Plaintiff's Complaint in its entirety and with prejudice.

Respectfully submitted,

CARR ALLISON

BY: /s/ Sean W. Martin

SEAN W. MARTIN, BPR #020870

Attorneys for Defendant Shenzhen Grepow Battery Co., Ltd. 736 Market Street Suite 1320 Chattanooga, TN 37402 (423) 648-9832 / (423) 648-9869

swmartin@carrallison.com

CERTIFICATE OF COMPLIANCE WITH THE ORDER GOVERNING MOTIONS TO DISMISS

Pursuant to this Court's Order Governing Motions to Dismiss (D.E. 4), the undersigned attorney hereby certifies that the matters at issue in this Motion cannot be resolved through an amendment of Plaintiff's Complaint.

BY: /s/ Sean W. Martin

SEAN W. MARTIN, BPR# 020870

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2023, I electronically filed the above titled document with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

J. Chad Hogue Law Offices of Julie Bhattacharya Peak PO Box 7217 London, KY 40742

Rocklan W. King , III Adams and Reese, LLP 1600 West End Ave., Suite 1400 Nashville, TN 37203 Christopher Myatt Martin Tate Morrow & Marston, PC 6410 Poplar Ave., Suite 1000 Memphis, TN 38119-4839

Eugene M. LaFlamme Michael A. LoCoco McCoy Leavitt Laskey, LLC Riverwood Corporate Center III N19 W24200 Riverwood Drive, #125 Waukesha, WI 53188

CARR ALLISON

BY: /s/ Sean W. Martin

SEAN W. MARTIN, BPR# 020870